

**In the Specification:**

Please amend the specification by inclusion of the attached Sequence Listing, both in printed form and computer readable form.

**REMARKS**

Claims 1-17 are pending in the application. In response to the Office Communication and its attached Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, and Raw Sequence Listing Error Summary, Applicants submit a substitute Sequence Listing in printed form and computer-readable form and the appropriate Statement under 37 C.F.R. 1.821-825. No new matter has been added.

The Examiner asserted that the July 31, 2000 reply was not fully responsive to the Office Action mailed May 26, 2000 because there were certain errors in the sequence listing provided with that reply. The pending Communication also states:

As clearly stated in paragraph 4 of the Office Action mailed on May 26, 2000, a fully responsive communication will contain both a proper election of a group, and 10 sequences, as well as fulfillment of the sequence rules, as required.

However, paragraph 4 of the May 26, 2000 Office Action merely recites: "Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143)."

The reply filed July 26, 2000 was complete and fully responsive to the restriction and election requirements. The May 26, 2000 Office Action contained a restriction requirement, dividing the claims between Group I (claims 1-16) directed to polypeptides, nucleic acid molecules, antibodies, and compositions (diagnostic, vaccine, and pharmaceutical); and Group II (claim 17) directed to a method for manufacturing a medicament.

Without agreeing or disagreeing with the Examiner's analysis, in the interests of expediting prosecution, Applicants elected Group I, comprising claims 1-16.

The Examiner also issued an election of species requirement in the May 26, 2000 Office Action, requiring election of one species of a protein comprising an amino acid sequence and a protein having 50% or greater sequence identity thereto (claims 1, 4-6), a nucleic acid molecule (claims 2-3, 8-13), an antibody (claim 7), a vaccine or diagnostic composition (claim 15), and a pharmaceutical composition (claim 16). The Examiner recognized claim 14 as being generic ("A composition comprising a protein, a nucleic acid molecule, or an antibody according to any preceding claim.") The Examiner required a further election of a single amino acid sequence or at most ten nucleotide sequences should Applicants elect one of these species.

Applicants elected the species of a protein comprising an amino acid sequence and a protein having 50% or greater sequence identity thereto. Claims 1, 4-6, and 14 read on this elected species.

In response to the requirement that Applicants then elect a single amino acid sequence, Applicants elected the sequence for ORF 1-1, identified as SEQ ID 650, for examination.

Thus, the reply filed July 26, 2000 was complete and fully responsive to the restriction and election requirements.

The reply filed July 26, 2000 was also complete and fully responsive to the requirement for the filing of a Sequence Listing. The Examiner has provided a Raw Sequence Listing Error Summary, with copies of 5 pages from the submitted Sequence Listing, 2 pages of which contain the same form of error: several "n"s and "Xaa"s present in sequence ID Nos. 1 and 2 were not further identified as to which residues they represented. Applicants have corrected all such errors in the substitute Sequence Listing filed herewith.

Applicants reserve the right to consideration of additional species upon the allowance of a generic claim, and also reserve the right to file divisional applications to unelected groups and/or species.

#### CONCLUSION

Applicants respectfully request consideration and allowance of the pending claims. Early and favorable notification to that effect is earnestly solicited. Should the Examiner have any



DOCKET NO.: CHIR-0160  
356.001

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comments, Applicants urge the Examiner to call the undersigned at the indicated phone number.

Please continue to direct all correspondence relating to this application to:

Alisa A. Harbin, Esq.  
Chiron Corporation  
Intellectual Property-R440  
P.O. Box 8097  
Emeryville, CA, 94662-8097  
(510) 923-2708.

Respectfully submitted,

Mark J. Rosen  
Registration No. 39,822

Date: 9/26/2000

WOODCOCK WASHBURN KURTZ  
MACKIEWICZ & NORRIS LLP  
One Liberty Place - 46<sup>th</sup> Floor  
Philadelphia, PA 19103  
(215) 568-3100